



**MEMO ENDORSED**

HON. SYLVIA O. HINDS-RADIX  
*Corporation Counsel*

**THE CITY OF NEW YORK  
LAW DEPARTMENT**  
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March 17, 2023

**VIA ECF**

Honorable Katherine H. Parker  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Williams v. City of New York, et al.  
21 Civ. 1083 (PGG) (KHP)

Your Honor:

I am the Assistant Corporation Counsel assigned to represent defendants in the above-referenced matter. Defendants write to respectfully request a brief adjournment of the settlement conference scheduled for March 29, 2023 (see ECF No. 144). This is defendants' first request for an adjournment of the settlement conference.

By way of background, on February 7, 2023, a case management conference was held in this matter. (See ECF No. 143). Following the conference, Your Honor scheduled a settlement conference for March 29, 2023, and further instructed that "a week prior to the conference, each side may submit a 3-page letter summarizing their settlement position and including any facts pertinent to settlement." (See ECF No. 144).

Defendants now write to seek an adjournment of the March 29, 2023 settlement conference, for several reasons. As an initial matter, having conferred with pro bono counsel for plaintiff regarding settlement of this matter, the undersigned is hopeful that this case may be resolved without the need for the Court's assistance. Moreover, the undersigned is taking a leave of absence from the New York City Law Department, with an anticipated last day of March 17, 2023. As such, this matter is in the process of being permanently reassigned to a different Assistant Corporation Counsel, who will in turn require time to familiarize themselves with the case, including defendants' settlement position.

For the foregoing reasons, defendants are respectfully requesting an adjournment of the March 29, 2023 settlement conference, as well as a corresponding enlargement of the parties' deadline to submit their pre-conference letters. If the Court's schedule permits, the parties would prefer to conduct the settlement conference sufficiently in advance of May 1, 2023. This is

because the parties are hoping to settle both the instant matter, as well as another matter filed by plaintiff in this District (No. 19 Civ. 3347), which is set for trial beginning on May 1, 2023.

Pro bono counsel for plaintiff takes no position on defendants' request for an adjournment, but if the Court grants the adjournment, joins in defendants' requests that: (1) the settlement conference be rescheduled sufficiently in advance of the May 1, 2023, trial date in 19-cv-3347, and (2) the due date for the pre-conference letter also be adjourned to one week before the rescheduled settlement conference.

Defendants thank the Court for its time and attention to this matter.

Respectfully submitted,

Andrew B. Spears /s

Andrew B. Spears  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: **BY U.S. MAIL**  
Alexander Williams, Jr.  
NYSID: 01897858L  
B&C No. 1411801632  
George R. Vierno Center  
09-09 Hazen Street  
East Elmhurst, NY 11370

**VIA ECF**

Robert O'Loughlin, Esq.  
Moses Silverman, Esq.  
Hillary Black, Esq.  
Daniel Beller, Esq.  
Shimeng Xu, Esq.  
Christie Ho Lam Wan, Esq.  
*Pro bono attorneys for plaintiff*

**APPLICATION GRANTED:** The video settlement conference in this matter scheduled on Wednesday, March 29, 2023 at 2:00 p.m. is hereby rescheduled to Monday, April 17, 2023 at 2:00 p.m. It is ORDERED that the Warden or other official in charge of the George R. Vierno Center (the "Facility") produce Plaintiff Alexander Williams, Jr., NYSID 01897858L, on April 17, 2023 no later than 2:00 p.m. to a suitable location in the Facility that is equipped with a computer with internet service, for the purpose of participating in the conference. If the scheduled time and date presents a hardship, the Warden or Warden's designee should promptly inform chambers by calling (212) 805-0234. The video conference will be held via Microsoft Teams and the Court will send the Teams link to counsel for Defendant and pro bono counsel in advance of the conference. Pro bono counsel and Defense Counsel shall make sure the Facility has the Teams link so that Plaintiff can join the conference. Defendants must send the person(s) with decision making authority to settle the matter to the conference. Defendants' counsel must send this Order to the Warden or other official in charge of the Facility immediately. In advance of the conference, Plaintiff, through pro bono counsel, shall make a settlement demand and Defendants shall provide a response. A week prior to the conference, each side may submit a 3-page letter summarizing their settlement position and including any facts pertinent to settlement. Such letters should be submitted to the Court's posted email address and marked as a settlement submission. The Clerk of Court is requested to mail a copy of this order to the plaintiff.

**APPLICATION GRANTED**

Katharine H. Parker  
Hon. Katharine H. Parker, U.S.M.J.